

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIE LUTHER DOWNIE,

Defendant.

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8:17CR212

ORDER

This matter is before the court on defendant's Motion to Continue Trial [21]. Counsel needs addition time to review discovery and to consult with the defendant and has indicated that defendant will comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [21] is granted as follows:

1. The jury trial now set for September 25, 2017 is continued to **November 6, 2017**.
2. The defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 6, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED September 1, 2017.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**